

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
TIMOTHY REIF and DAVID FRAENKEL, as  
Co-Trustees of the LEON FISCHER TRUST  
FOR THE LIFE AND WORK OF FRITZ  
GRUNBAUM and MILOS VAVRA,

Plaintiffs,

-against-

CARNEGIE INSTITUTE,

Defendant,

An Artwork PORTRAIT OF A MAN (1917) by  
the Artist Egon Schiele,

Defendant-in-rem.

ANALISA TORRES, District Judge:

USDC SDNY  
DOCUMENT  
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23 Civ. 346 (AT)

**ORDER**

The Court has reviewed the parties' letters dated January 31 and February 1, 2023. ECF Nos. 12–13. Defendant requests to file a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6) and that the Court set a briefing schedule. ECF No. 12 at 1, 7. Plaintiffs "request [that] the Court grant Plaintiffs 30 days to amend the [c]omplaint." ECF No. 13. Accordingly:

1. Defendant's request to file a motion to dismiss the complaint, ECF No. 12, is DENIED, without prejudice to renewal;
2. Plaintiffs' request to file an amended complaint is GRANTED. By **March 3, 2023**, Plaintiffs shall file an amended complaint.

SO ORDERED.

Dated: February 2, 2023  
New York, New York



ANALISA TORRES  
United States District Judge